

SEYFARTH SHAW

Writer's direct phone
(212) 218-5523
Writer's e-mail
clowe@seyfarth.com

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Seyfarth Shaw LLP
620 Eighth Avenue
New York, New York 10018
(212) 218-5500
fax (212) 218-5526
www.seyfarth.com

July 18, 2014

VIA FACSIMILE (212-805-7942)

The Honorable Alvin K. Hellerstein
United States District Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Court House
New York, New York 10007

Re: Franklyn et al. v. Peapod LLC, et al.,
No. 1:14-cv-1912 (AKH)

Dear Judge Hellerstein:

We are counsel for defendants in the above-referenced action and write on behalf of all parties to respectfully request a three-week adjournment of the R. 16 conference currently scheduled for Friday, July 25, 2014. The parties are currently engaged in active settlement negotiations, and therefore request this adjournment to allow time for these negotiations to continue, which may moot the need for a R. 16 conference.

This is the first request for an adjournment of the R. 16 conference and all parties consent. As no case management order has been entered, we do not expect this adjournment to affect any other dates or deadlines in the case.

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Respectfully submitted,

SEYFARTH SHAW LLP

Christopher Lowe

Christopher H. Lowe

CHL/sj

cc: Douglas Lipsky, Bronson Lipsky LLP